

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

TUESDAY, THE 13TH MARCH 2007 / 22ND PHALGUNA 1928

WP(C).No. 31083 of 2006(A)

PETITIONER:

**BABURAJAN KURUPPATH,
KURUPPATH HOUSE, CHERUKARA P.O.,
MALAPPURAM.**

**BY ADV. SRI.N.DHARMADAN (SR.)
SRI.RANJITH XAVIER**

RESPONDENTS:

- 1. STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO THE GOVERNMENT,
LOCAL ADMINISTRATION, GOVT.SECRETARIAT,
THIRUVANANTHAPURAM.**
- 2. SECRETARY, PERINTHALMANNA MUNICIPALITY
PERINTHALMANNA.**
- 3. PRAKASH. C., POOVATHINGAL HOUSE,
THIRUVETTI POST, (VIA) AREEKODE,
MALAPPURAM.**

**BY ADV. SRI.P.K.VIJAYAMOHANAN
SMT.RESMI G. NAIR
GOVERNMENT PLEADER SRI. P.NANDAKUMAR**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 13/03/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C) NO: 31083/2006 A

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE MEDICAL CERTIFICATE DT. 8/11/06 ISSUED TO THE PETITIONER.

EXT.P2. COPY OF THE REPRESENTATION DT. 20/10/06 BY PETITIONER TO R1.

EXT.P3. COPY OF THE REPRESENTATION DT. 13/3/07 FILED BY THE PETITIONER.

EXT.P4A. COPY OF THE POSTAL RECEIPT.

EXT.P4B. COPY OF THE POSTAL RECEIPT.

True copy

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K.K. DENESAN, J.

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W.P.(C) No.31083 OF 2006 A
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Dated this the 13th March, 2007

J U D G M E N T

The petitioner has been working as Public Works Overseer attached to the Perinthalmanna Municipality. His service stands terminated. According to the petitioner, he is eligible to continue in service with the benefit of regularisation having regard to the service put in by him. It is stated that a vacancy of Public Works Overseer is due to arise with effect from 20-3-2007 on the expiry of the period of appointment of one Mr. Prakash who is now working as Public Works Overseer in the Perinthalmanna Municipality. Since the request made by the petitioner before the Municipal authorities did not evoke any response, the petitioner has filed Ext. P3 representation before the 1st respondent to direct the 2nd respondent to re-appoint the petitioner in the vacancy due to arise on 20-3-2007 and grant him the benefit of regularisation in service.

2. I have heard Govt. Pleader for respondent No. 1. In the nature of the order I propose to pass I do

not consider it necessary to issue notice to the 2nd or the 3rd respondent in these proceedings, at this stage.

3. I am inclined to dispose of the writ petition directing the 1st respondent to look into the grievance of the petitioner as highlighted in Ext. P3 and after calling for the remarks from the 2nd respondent to pass appropriate orders in accordance with law. Ordered accordingly. This shall be done within six weeks from the date of receipt of a copy of the judgment. It is open to the petitioner to move the Government for interim directions to consider his case for appointment in the vacancy due to arise on 20-3-2007.

The writ petition is disposed of as above.

K.K. DENESAN
JUDGE

jan/